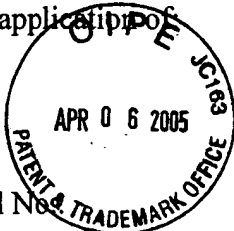


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of



Kishan Khemani, Ph.D., Harald Schmidt  
and Simon K. Hodson

Serial No. 09/648,471

Confirmation No. 5818

Filed: August 23, 2000

For: THERMOPLASTIC STARCH COMPOSITIONS  
INCORPORATING AN INORGANIC FILLER  
COMPONENT

CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that the following documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231.

Submitted this 24<sup>th</sup> day of January 2003.

- Petition to Correct Inventorship under C.F.R. 1.324
- Statement of Current Named Inventors
- Statement of Removed Inventor
- Consent of Assignee to Correction of Inventorship
- Certificate Under 37 C.F.R. 3.73(b) with Assignment
- Declaration, Power of Attorney, and Petition
- PTO Form 2038 in the amount of \$130.00
- Transmittal
- Postcard

Respectfully submitted,

JOHN M. GYNN  
Attorney for Applicants  
Registration No. 36,153



**022913**

JMG:drb

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ATTORNEYS AT LAW

A PROFESSIONAL CORPORATION

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RYAN D. BENSON  
SARA D. JONES  
TIGE KELLER  
MATTHEW D. TODD  
J. LAVAR OLDHAM  
JOSEPH L. KRUPA  
BRETT A. HANSEN  
BRETT I. JOHNSON

† ADMITTED ONLY IN CALIFORNIA

## PATENTS

## TRADEMARKS

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## UNFAIR COMPETITION

## LICENSING

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## INTERNET

HOME PAGE: <http://www.wnspatent.com>

GENERAL E-MAIL: [Info@wnspatent.com](mailto:Info@wnspatent.com)

**EXPRESS MAIL LABEL NO. EV097156825US**

# PATENT APPLICATION

Docket No. 11527.343

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Khemani et al.

Serial No.

09/648,471

### Art Unit

1711

Confirmation No.

5818

**Filed:**

August 23, 2000

For:

# BIODEGRADABLE POLYMER FILMS AND SHEETS SUITABLE FOR USE AS LAMINATE COATINGS AS WELL AS WRAPS AND OTHER PACKAGING MATERIALS

**Examiner:**

**Samuel A. Acquah**

TRANSMITTAL FOR PETITION UNDER 37 C.F.R. 1.324  
TO CORRECT INVENTORSHIP

Commission for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith is a Petition Under 37 C.F.R. 1.324 to correct inventorship in the above-identified patent.

Also enclosed are the following:

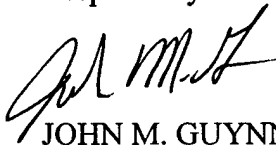
- ☒ Certificate under 37 C.F.R. § 3.73(b)
- ☒ Consent of Assignee to Correction of Inventorship
- ☒ Statement of Current Named Inventors
- ☒ Declarations, Powers of Attorney, and Petitions
- ☒ PTO Form 2038 in the amount of \$130.00 to cover the petition fee

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 23-3178. Duplicate copies of this letter are attached.

Please address all correspondence in connection with this case to the attention of the undersigned.

Dated this 24<sup>th</sup> day of January 2003.

Respectfully submitted,



JOHN M. GYNN  
Attorney for Applicants  
Registration No. 36,153



**022913**

JMG:drb

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PATENT TRADEMARK OFFICE

EXPRESS MAIL LABEL NO. EV097156825US

PATENT APPLICATION

Docket No. 11527.343

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                      |                                       |   |          |
|----------------------|---------------------------------------|---|----------|
| In re application of |                                       | ) |          |
|                      | Kishan Khemani, Ph.D., Harald Schmidt | ) |          |
|                      | and Simon K. Hodson                   | ) |          |
|                      |                                       | ) | Art Unit |
| Serial No.           | 09/648,471                            | ) | 1711     |
|                      |                                       | ) |          |
| Confirmation No.     | 5818                                  | ) |          |
|                      |                                       | ) |          |
| Filed:               | August 23, 2000                       | ) |          |
|                      |                                       | ) |          |
| For:                 | THERMOPLASTIC STARCH COMPOSITIONS     | ) |          |
|                      | INCORPORATING AN INORGANIC FILLER     | ) |          |
|                      | COMPONENT                             | ) |          |
|                      |                                       | ) |          |
| Examiner:            | Samuel A. Acquah                      | ) |          |

PETITION TO CORRECT INVENTORSHIP

Commissioner for Patents  
Washington, DC 20231

Sir:

Pursuant to 37 C.F.R. § 1.324, Applicants respectfully request that the above-identified patent application be amended to remove the following inventor:

Inventor: Per Just Andersen, Ph.D.  
Address: 947 Via Fruteria  
Santa Barbara, CA 93110  
Citizenship: Kingdom of Denmark

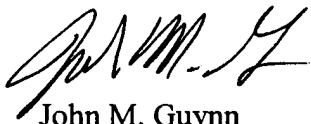
PTO Form 2038 in the amount of \$130.00 is enclosed herewith for payment of the fee associated with this Petition, as set forth in 37 C.F.R. § 1.20(b). The Commissioner is hereby

authorized to charge any additional fee or to credit any overpayment in connection with this  
Petition to Deposit Account No. 23-3178. A duplicate copy of this sheet is attached.

Please address all future correspondence in connection with this case to the attention of  
the undersigned.

Dated this 24<sup>th</sup> day of January 2003.

Respectfully submitted,



John M. Guynn  
Attorney for Applicants  
Registration No. 36,153



**022913**

PATENT TRADEMARK OFFICE

JMG:drb

Docket: 11527.343

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EXPRESS MAIL LABEL NO. EV097156825US

PATENT APPLICATION  
Docket No. 11527.343

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                      |                                       |            |
|----------------------|---------------------------------------|------------|
| In re application of |                                       | )          |
|                      | Kishan Khemani, Ph.D., Harald Schmidt | )          |
|                      | and Simon K. Hodson                   | )          |
| Serial No.           | 09/648,471                            | ) Art Unit |
|                      |                                       | ) 1711     |
| Confirmation No.     | 5818                                  | )          |
| Filed:               | August 23, 2000                       | )          |
| For:                 | THERMOPLASTIC STARCH COMPOSITIONS     | )          |
|                      | INCORPORATING AN INORGANIC FILLER     | )          |
|                      | COMPONENT                             | )          |
| Examiner:            | Samuel A. Acquah                      | )          |

STATEMENT OF CURRENT NAMED INVENTORS

Box DAC  
Assistant Commissioner for Patents  
Washington, DC 20231

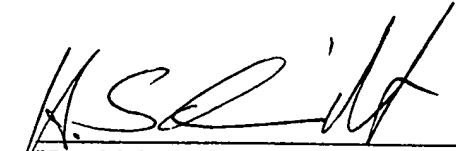
Sir:

We, Kishan Khemani, Ph.D, Harald Schmidt, and Simon K. Hodson, the current named joint inventors for the above-identified application, hereby state that the error in inventorship occurred without deceptive intent on our part, and that we agree to the change in inventorship, and have no disagreement with regard to the requested change.

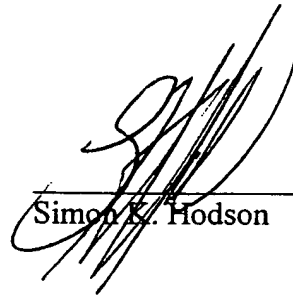
Dated this 17 day of December, 2002

  
Kishan Khemani, Ph.D.

Dated this 22<sup>nd</sup> day of January, 2003

  
Harald Schmidt

Dated this 17<sup>th</sup> day of December, 2002

  
Simon E. Hodson

EXPRESS MAIL LABEL NO. EV097156825US

PATENT APPLICATION  
Docket No. 11527.343

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                      |   |   |                  |
|----------------------|---|---|------------------|
| In re application of |   | ) |                  |
|                      | Kishan Khemani, Ph.D., Harald Schmidt<br>and Simon K. Hodson                        | ) |                  |
| Serial No.           | 09/648,471  | ) | Art Unit<br>1711 |
| Confirmation No.     | 5818  | ) |                  |
| Filed:               | August 23, 2000   | ) |                  |
| For:                 | THERMOPLASTIC STARCH COMPOSITIONS<br>INCORPORATING AN INORGANIC FILLER<br>COMPONENT | ) |                  |
| Examiner:            | Samuel A. Acquah  | ) |                  |


STATEMENT OF REMOVED INVENTOR

Box DAC  
Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

I, Per Just Andersen, Ph.D., a current named joint inventor for the above-identified application, hereby state that the error in inventorship occurred without deceptive intent on my part, and that I agree to the change in inventorship, and have no disagreement with regard to the requested change.

Dated this 22<sup>nd</sup> day of January, 2003.

  
Per Just Andersen, Ph.D.



EXPRESS MAIL LABEL NO. EV097156825US

PATENT APPLICATION

Docket No. 11527.343

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                      |                                       |   |          |
|----------------------|---------------------------------------|---|----------|
| In re application of |                                       | ) |          |
|                      | Kishan Khemani, Ph.D., Harald Schmidt | ) |          |
|                      | and Simon K. Hodson                   | ) |          |
| Serial No.           | 09/648,471                            | ) | Art Unit |
|                      |                                       | ) | 1711     |
| Confirmation No.     | 5818                                  | ) |          |
| Filed:               | August 23, 2000                       | ) |          |
| For:                 | THERMOPLASTIC STARCH COMPOSITIONS     | ) |          |
|                      | INCORPORATING AN INORGANIC FILLER     | ) |          |
|                      | COMPONENT                             | ) |          |
| Examiner:            | Samuel A. Acquah                      | ) |          |

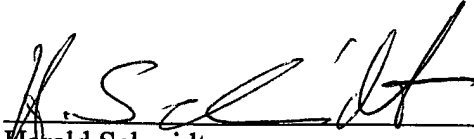
CONSENT OF ASSIGNEE TO CORRECTION OF INVENTORSHIP

bio-tec Biologische Naturverpackungen GmbH & Co., KG, having a place of business at Werner-Heinsenber-Sr. 32, Emmerich, Germany 46446, Assignee of the patent application identified above, hereby consents to the removal thereof, of Per Just Andersen, Ph.D. as a co-inventor with the originally named inventors, Kishan Khemani, Ph.D., Harald Schmidt, and Simon K. Hodson

A Certificate Under 37 C.F.R. § 3.73(b) is attached.

The undersigned is empowered to sign this certificate on behalf of Assignee.

Dated this 22<sup>nd</sup> day of January, 2003.

  
Harald Schmidt  
Managing Director  
bio-tec Biologische Naturverpackungen GmbH & Co.

EXPRESS MAIL LABEL NO. EV097156825US

PATENT APPLICATION  
Docket No. 11527.343

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                      |                                     |            |
|----------------------|-------------------------------------|------------|
| In re application of |                                     | )          |
|                      |                                     | )          |
|                      | Khemani et al.                      | )          |
|                      |                                     | )          |
| Serial No.           | 09/648,471                          | ) Art Unit |
|                      |                                     | ) 1711     |
| Confirmation No.     | 5818                                | )          |
|                      |                                     | )          |
| Filed:               | August 23, 2000                     | )          |
|                      |                                     | )          |
| For:                 | BIODEGRADABLE POLYMER FILMS AND     | )          |
|                      | SHEETS SUITABLE FOR USE AS LAMINATE | )          |
|                      | COATINGS AS WELL AS WRAPS AND OTHER | )          |
|                      | PACKAGING MATERIALS                 | )          |
|                      |                                     | )          |
| Examiner:            | Samuel A. Acquah                    | )          |

CERTIFICATE UNDER 37 C.F.R. § 3.73 (b)

bio-tec Biologische Naturverpackungen GmbH & Co, KG certifies that it is the Assignee of the patent application identified above by virtue of an assignment from E. Khashoggi Industries, LLC, which was submitted to the United States Patent and Trademark Office for recording on October 7, 2002. A copy of the assignment is attached herewith.

The undersigned has reviewed the assignment documents mentioned above and to the best of the undersigned's knowledge and belief, title is to the Assignee identified above. The undersigned is empowered to sign this certificate on behalf of the Assignee.

Dated this 22<sup>nd</sup> day of January, 2002.

bio-tec Biologische Naturverpackungen GmbH & Co.

  
By: Harald Schmidt  
Title: Managing Director

WHEN RECORDED RETURN TO:

Workman, Nydegger & Seeley  
1000 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, Utah 84111

PATENT APPLICATION

Docket No. 11527.0

Express Mail Label No. EL813859157US

## ASSIGNMENT

The ASSIGNOR, E. Khashoggi Industries, LLC, a limited liability company organized under the state of Delaware, is presently the assignee of record and owner of the entire right, title and interest in the following United States patent and United States and PCT patent applications, and the inventions described therein:

|                 |                |
|-----------------|----------------|
| U.S. Patent No. | 6,231,970      |
| U.S. App. No.   | 09/648,471     |
| U.S. App. No.   | 10/087,256     |
| U.S. App. No.   | 10/087,718     |
| PCT App. No.    | PCT/US02/09668 |
| PCT App. No.    | PCT/US01/10052 |
| PCT App. No.    | PCT/US00/30511 |

The ASSIGNEE, bio-tec Biologische Naturverpackungen GmbH & Co., KG., a corporation of Germany, having a principal place of business at Werner-Heinsenbergr-Sr. 32, Emmerich, Germany 46446, desires to secure the entire right, title and interest in the above-identified patent and patent applications, and the inventions described therein.

In consideration of One Dollar (\$1.00) and other good and valuable consideration paid to ASSIGNOR by the ASSIGNEE, the receipt and sufficiency of which ASSIGNOR hereby acknowledges, ASSIGNOR HEREBY ASSIGNS TO THE ASSIGNEE:

The entire right, title and interest in the above-identified United States and PCT applications and the inventions described therein, and in all divisions, continuations and continuations-in-part of said application, or reissues or extensions of Letters Patent or Patents granted thereon, and in all corresponding applications filed

in countries foreign to the United States, and in all patents issuing thereon in the United States and Foreign countries.

The right to file foreign patent applications on said invention in its own name, wherever such right may be legally exercised, including the right to claim the benefits of the International Convention for such applications.

ASSIGNOR hereby authorizes and requests the United States Commissioner of Patents and Trademarks, and such Patent Office officials in foreign countries as are duly authorized by their patent laws, to issue any and all patents on the inventions described in the above-identified applications, to the ASSIGNEE as the owner of the entire right, title and interest, for the sole use and behalf of the said ASSIGNEE, its successors, assigns and legal representatives.

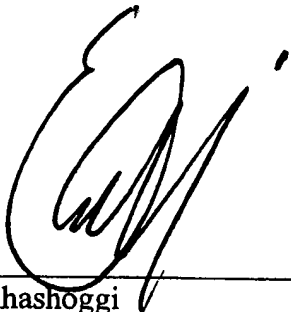
ASSIGNOR hereby agrees, without further consideration and without expense to ASSIGNOR, to sign all lawful papers and to perform all other lawful acts which the ASSIGNEE may request of ASSIGNOR to make this Assignment fully effective, including, by way of example but not of limitation, the following:

Prompt execution of all original, divisional, substitute, reissue and other United States and foreign patent applications on said invention, and all lawful documents requested by the Assignee to further the prosecution of any such patent applications.

Cooperation to the best of ASSIGNOR'S ability in the execution of all lawful documents, the production of evidence, nullification, reissue, extension or infringement proceedings involving said invention.

This assignment and agreement shall be binding upon ASSIGNOR'S successors, assigns and legal representatives.

Dated this 3<sup>rd</sup> day of October 2002.

  
\_\_\_\_\_  
Essam Khashoggi  
Chief Executive Officer  
E. Khashoggi Industries, LLC

*Biotech Assignment*

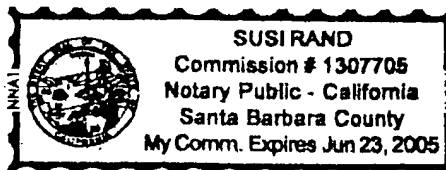
STATE OF CALIFORNIA            )  
  : ss.  
COUNTY OF SANTA BARBARA    )

On October 3, 2002, before me personally appeared Essam Khashoggi, known to me to be the persons described and who signed the foregoing Assignment in my presence and acknowledged under oath before me that they have read the same and know the contents thereof and that they executed the same as their free act and deed and for the purposes set forth therein.

  
\_\_\_\_\_  
NOTARY PUBLIC  
Residing at 1555 ROGUE DRIVE  
SANTA BARBARA, CA 93110

My Commission Expires:

06/23/05



DECLARATION, POWER OF ATTORNEY, AND PETITION

We,

- (1) Name: Kishan Khemani, Ph.D.  
Address: 4751 Amarosa Street  
Santa Barbara, California 93110  
Citizenship: United States of America
- (2) Name: Harald Schmidt  
Address: Spillingscher Weg 51  
D-46446 Emmerich  
GERMANY  
Citizenship: Germany
- (3) Name: Simon K. Hodson  
Address: 910 Estrella Drive  
Santa Barbara, California 93110  
Citizenship: United States of America

declare: that our citizenship, residence address, and post office address are as set forth above; that we verily believe we are the original, first, and joint inventors of the subject matter of the invention or discovery entitled BIODEGRADABLE POLYMER FILMS AND SHEETS SUITABLE FOR USE AS LAMINATE COATINGS AS WELL AS WRAPS AND OTHER PACKAGING MATERIALS for which a patent is sought and which is described and claimed in the application attached hereto; that we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to herein; and that we acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Section 1.56(a) of Title 37 of the Code of Federal Regulations.

We declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

We hereby appoint as our attorneys and/or patent agents all attorneys and/or patent agents listed under the following Customer Number, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:



**022913**

PATENT TRADEMARK OFFICE

All correspondence and telephonic communications should be directed to:

John M. Guynn  
WORKMAN, NYDEGGER & SEELEY  
1000 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, Utah 84111  
Telephone: (801) 533-9800  
Facsimile: (801) 328-1707

Wherefore, we pray that Letters Patent be granted to us for the invention or discovery described and claimed in the foregoing specification and claims, declaration, power of attorney, and this petition.

DATED this 15<sup>th</sup> day of August 2002.

Inventor: Kishan Khemani  
Kishan Khemani, Ph.D.  
4751 Amarosa Street  
Santa Barbara, California 93110

DATED this 15<sup>th</sup> day of August 2002.

Inventor: Harald Schmidt  
Harald Schmidt  
Spillingscher Weg 51  
D-46446 Emmerich  
GERMANY

DATED this 15<sup>th</sup> day of August 2002.

Inventor: Simon K. Hodson  
Simon K. Hodson  
910 Estrella Drive  
Santa Barbara, California 93110